

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

MARK MCCLESKEY, TRUSTEE AND INDIANA	)	
STATE COUNCIL OF PLASTERERS AND CEMENT	)	
MASONS HEALTH AND WELFARE AND PENSION	)	
FUNDS	)	No. 1:11-cv-795-SEB-MJD
	)	
Plaintiffs,	)	
	)	
	)	
LUCAS STUCCO & EIFS DESIGN, L.L.C.,	)	
a Missouri corporation,	)	
Defendant.	)	

**ORDER**

**THIS CAUSE** coming on to be heard on Motion of Plaintiffs for an Order requiring Defendant to turn over their books and records for audit; the Court finds as follows:

- A. The Complaint was filed herein on June 10, 2011.
- B. Process has been served upon Defendant, LUCAS STUCCO & EIFS DESIGN, L.L.C.
- C. Defendant has filed no answer or other pleadings within the time provided by law.


**IT IS HEREBY ORDERED:**

- 1. Defendant, LUCAS STUCCO & EIFS DESIGN, L.L.C. is hereby ordered to permit, within 30 days, an audit of their books and records for the period January 1, 2011 through the present of Plaintiffs' auditor.
- 2. Defendant is ordered to produce records for the period January 1, 2011 through the present beginning for examination by Plaintiffs' auditor:
  - A. All cash disbursement journals;
  - B. All individual payroll records;
  - C. All time records, which are the basis of the above-mentioned individual payroll records;

D. All State unemployment tax returns as requested by the Trustees;

E. All records showing Defendants' employees nature and classification of work, membership of those employees in or contributions by Defendant's on their behalf to, other trades, crafts, or fringe benefit funds.

DATED: 09/15/2011



SARAH EVANS BARKER, JUDGE  
United States District Court  
Southern District of Indiana

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